

MOTION BY SUPERVISORS MOLINA AND RIDLEY-THOMAS

August 9, 2011

On August 6, 1965, President Lyndon Johnson, with Martin Luther King, Jr., Rosa Parks and additional civil rights leaders at his side, signed into law the Voting Rights Act, a landmark piece of national legislation in the United States outlawing the discriminatory voting practices responsible for the widespread disenfranchisement of minorities.

Forty-six years later, this Board may approve new Supervisorial District boundaries with no certainty that the new proposed map complies with the Voting Rights Act of 1965.

The Boundary Review Committee consists of two regular and two alternate appointees from each of the five Supervisors; it was charged with recommending a redistricting plan to the Board of Supervisors. During Summer 2011, the Boundary Review Committee conducted public hearings throughout Los Angeles County. Various public interest groups and others voiced general concerns regarding the redistricting

MOTION

Molina \_\_\_\_\_

Ridley-Thomas \_\_\_\_\_

Yaroslavsky \_\_\_\_\_

Knabe \_\_\_\_\_

Antonovich \_\_\_\_\_

process, and proposed specific changes to the District lines that were drawn after the 2000 Census. Written and oral testimony was collected regarding the proposed plans, and 17 maps were submitted to the Boundary Review Committee for consideration. Seven of the 17 maps create at least two districts that explicitly seek to comply with Section 2 of the Voting Rights Act while maximizing protection of minorities identified by the United States Department of Justice.

Additionally, testimony by community members and comments by Committee members underscored the significance of *Garza v. County of Los Angeles*, 918 F. 2d 763 (9<sup>th</sup> Cir. 1990). In *Garza*, the United States District Court found that the County of Los Angeles violated the voting rights of the Latino community by intentionally diluting their voting strength, and the Latino demographic growth was sufficient to warrant the drawing of a district that would provide a fair opportunity for Latino voters and candidates.

In this year's redistricting, the First and Second District appointees submitted a "Minority Report" (Report) in response to the Boundary Review Committee's recommendation of a redistricting proposal (Amended Map A-2) which makes minor changes to the existing boundaries despite significant growth of the Latino population in the County. Additionally, the Report documents the significant evidence of existing racially polarized voting and the history of racial discrimination in the County. Most importantly, the Report provides an overview of the legal standards pertaining to the redistricting process for the Board of Supervisors, with particular emphasis on the Voting Rights Act and its applicability in the County. The First and Second District appointees supported Amended Map S-1 and included it in the Report.

Within the “Minority Report”, Professor Ernesto Chavez examines the history of discrimination of Latinos in Los Angeles County from the 19th Century to the present. He notes that the *Garza* ruling made clear the long and varied history of discrimination against Latinos, citing the County Board of Supervisors’ extensive intentional discrimination against Latino voters and candidates in the redistricting of the Board of Supervisors beginning in 1959 through 1981.

The recommendation to adopt the proposed redistricting lines sharply contrasts with the seven alternate plans purporting to comply with the Voting Rights Act. It is still uncertain whether the recommended map (Amended Map A-2) being considered by the Board complies with the Voting Rights Act—and, thus, whether the voting rights of Latinos are protected by affording them fair opportunity to be represented on the Board of Supervisors.

WE, THEREFORE, MOVE THAT the Executive Office schedule a Discussion Item on the Tuesday, August 9, 2011 Agenda regarding County Counsel’s overview of the Voting Rights Act, the updated Minority Report, and the Amended S-1 plan.